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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/031,030	05/28/2002	Michael Jon Gustafson	758.1012USWO	4536

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MERCHANT & GOULD PC
P.O. BOX 2903
MINNEAPOLIS, MN 55402-0903

EXAMINER

JENKINS, JERMAINE L

ART UNIT PAPER NUMBER

2855

DATE MAILED: 10/03/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 10/031,030	Applicant(s) GUSTAFSON ET AL.	
	Examiner Jermaine Jenkins	Art Unit 2855	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on _____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-25 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-25 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) Paper No(s). _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. Acknowledgement of the preliminary amendment filed on 01/14/02 has been made.

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 1-24 are rejected under 35 U.S.C. 102(b) as being anticipated by Suri et al (5,702,592).

In regards to claims 1, 10 & 21, Suri et al teaches a filter-monitoring device that monitors differential pressure comprising a housing (101) defining a pressure chamber (120) (Column 8, line 62 – Column 9, line 1) and a differential pressure gauge (119) dividing the pressure chamber (120) into first and second chambers (120, 143) wherein the differential pressure gauge is arranged to measure the differential pressure between the first chamber (120) and the second chamber (143) and the differential pressure gauge having an output (Column 7, line 65 – Column 8, line 2, Column 9, lines 24-35 & Column 10, lines 31-42).

With respect to claim 2, Suri et al teaches the differential pressure gauge (119) including a piston positioned with the pressure chamber (120) wherein the piston moves within the pressure chamber (120) when the pressure changes (Column 9, lines 24-27 & Column 10, lines 31-42).

With respect to claims 3, 4, 11-13, & 22, Suri et al teaches the piston including a magnet (150) wherein the magnet (150) (Column 9, lines 36-38) emits a magnet field and the differential pressure gauge includes a hall-effect sensor position to detect the magnet field emitted from the magnet (Column 5, lines 36-47, See Figures 2-4).

With respect to claims 5-7, 14-18, & 23, Suri et al teaches the monitoring of a first signal correlating to a first differential pressure and a second signal correlating to a second differential, and a first signal correlating to a first differential pressure, second signal correlating to a second differential pressure, and the variable output includes a variable signal correlating to the value of the differential pressure between the first and second chambers pressure (Column 7, line 65 – Column 8, line 2 & Column 8, lines 35-41).

With respect to claims 8, 9, 19, 20 & 24, Suri et al teaches a filter in fluid communication with the pressure chamber (Column 8, lines 62-65).

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claim 25 is rejected under 35 U.S.C. 103(a) as being unpatentable over Suri et al (5,702,592).

With respect to claim 25, Suri et al the claimed invention except for the removing the differential pressure gauge from the fluid chamber and positioning of a new differential pressure

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gauge in the fluid chamber. However, it would have been obvious to one of ordinary skill in the art at the time the invention was made to supply a new pressure gauge in replacement of the old pressure gauge in order to insure that the device remains able to function.

Conclusion

3. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.


- U.S. Patent 5,837,017 (Santschi et al) – Apparatus for Cleaning Baghouse Filters
- U.S. Patent 5,102,534 (Gabet) – Automatic Filter Cleaning Device by Ultrasound Generator Modulated Thru Device Side Wall
- U.K. Patent 2,253,572A (Absolon) – Monitoring Flow Resistance

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jermaine Jenkins whose telephone number is 703-305-3839. The examiner can normally be reached on Monday-Friday 8am-430pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Edward Lefkowitz can be reached on 703-305-4816. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-306-3431.

Jermaine Jenkins
A.U. 2855


EDWARD LEFKOWITZ
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2800